



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

: MAIL STOP: AF

Tomoji HAMADA

: Confirmation No. 4745

Serial No. 10/623,655

: Docket No. 2003\_0996A

Filed July 22, 2003

: Group Art Unit 2811

SEMICONDUCTOR APPARATUS

: Examiner J. M. IM

---

**SECOND REQUEST FOR RECONSIDERATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

Sir:

Responsive to the Final Office Action mailed March 25, 2005, and the Advisory Action mailed July 18, 2005, the time for responding thereto being extended for two months in accordance with a Petition for Extension submitted herewith, please consider the following remarks.

In the Advisory Action mailed July 18, 2005, the Examiner has taken the position that the plural electrodes required by claim 1 are taught by Hung et al., and accordingly, the 35 U.S.C. 102(b) rejection is maintained. Specifically, the Examiner expressed that conductive layer 216 of Hung et al. is shown in Figure 3 to be separated by a portion 234, which separates conductive layer 216 into two segments, one on the left hand side and one on the right hand side of Figure 3. Each of these segments is said to correspond to one electrode, whereby Hung et al. discloses the plural electrodes as required by claim 1. This position is respectfully traversed for the following reasons.

Waveguide structure 234 is merely an opening extending through the conductive layers 210-216 and dielectric layers 222-226. This is believed to be clear from the manner by which the waveguide structure is created as described in the paragraph bridging columns 4 and 5 of Hung et al. Specifically, the waveguide structure is said to be created by “punching” out the dielectric layers 222-226. Thus, the waveguide structure 234 does not extend across an entirety of any of the conductive layers, and accordingly, conductive layer 216 is not separated into two distinct segments each serving